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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : Stephen Douglas Barrett, et al. EXAMINER : Shengjun Wang
SERIAL NO. : 10/031,149 ART UNIT : 1617
FILED : June 3, 2002 PAPER NO. :
FOR : Method for Treating Chronic Pain Using MEK Inhibitors

Response to Restriction Requirement Under 35 U.S.C. 121 and 372

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated October 3, 2003 in which Restriction was required under 35 U.S.C. 121 and 372.

Under PCT Rule 13.1 and in accordance with 37 CFR 1.499, Applicants were required to elect a single invention of the following inventions:

Group I, claim(s) 1-31, drawn to a method of treating pain by using the compounds with formula (I), wherein the W is tetraazole (formulae viii and xvii).

Group II, claim(s) 1-31, drawn to a method of treating pain by using the compounds with formula (I), wherein the W is triazole (formulae ix, x, xi, and part of i).

Group III, claim(s) 1-31, drawn to a method of treating pain by using the compounds with formula (I), wherein the W is diazole (formulae ii, iii, part of iv, xii, xiii, xiv).

Group IV, claim(s) 1-31, drawn to a method of treating pain by using the compounds with formula (I), wherein the W is oxazole (formulae v, vi, and part of iv, xii, xiii).

Group V, claim(s) 1-31, drawn to a method of treating pain by using the compounds with formula (I), wherein the W is thiazole (part of formulae iv, xii, xiii, xiv).

10/031,149

-2-

A0000104-01-SMH

Group VI, claim(s) 31-32, drawn to a method of treating pain by using the compounds with formula (I), wherein the W is not a heterocyclic moiety.

Group VII, claim(s) 1-31, drawn to a method of treating pain by using the compounds with formula (I), wherein the W is a heterocyclic moiety other than those defined in groups I-V.

The Applicants hereby elect Group VII for prosecution on the merits, without traverse.

The Applicants have also been required to elect a single species to which the claim shall be restricted if no generic claim is finally held to be allowable. The Applicants hereby elect the species (2,3-Difluoro-6-[1,3,4]oxadiazol-2-yl-phenyl)-(4-iodo-2-methyl-phenyl)-amine. Claims 1-9, 11, 14, 20, 23, and 32 are readable on the elected species.

Finally, the Applicants respectfully reserve the right to file a Divisional application(s) to the non-elected claims.

The Applicants submit that this application is now in condition for allowance, which allowance is respectfully solicited.

Respectfully submitted,

Dated: December 24, 2003



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Customer No. 28880

Confirm. No.: 8665

DEC 24 2003

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/031,149	
	Filing Date	June 3, 2002	
	First Named Inventor	Stephen Douglas Barrett, et al.	
	Group Art Unit	1617	
	Examiner Name	Shengjun Wang	
Total Number of Pages in This Submission	5	Attorney Docket Number	A0000104-01-SMH

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Certificate of Transmission under 37 CFR 1.8
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Suzanne M. Harvey
Signature	<i>Suzanne M. Harvey</i>
Date	12/24/03

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Date	12/24/03

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PTO/SB/17 (01-03)

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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 420.00**Complete if Known**

Application Number	10/031,149
Filing Date	June 3, 2002
First Named Inventor	Stephen Douglas Barrett, et al
Examiner Name	Shengjun Wang
Art Unit	1617
Attorney Docket No.	A0000104-01-SMH

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
Deposit Account Name

23-0455

Warner-Lambert Company LLC

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent	-20** = 0	X	\$18.00	=	0.00		
Multiple Dependent	-3** = 0	X	\$8.00	=	0.00		
			0.00	=	0.00		

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	420.00
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 420.00**SUBMITTED BY**

Name (Print/Type) Suzanne M. Harvey

Registration No. 42,640

(Attorney/Agent)

(Complete if applicable)

Telephone 734-622-2658

Signature

Suzanne M. Harvey

Date

Dec 24, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB/97 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031

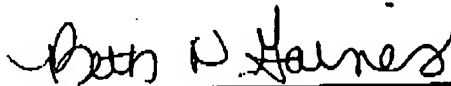
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No. of Pages 5

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